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Report of the Working Group on the Universal Periodic Review*

Liechtenstein

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Response of the Government of the Principality of Liechtenstein to the recommendations made during its third UPR

Liechtenstein welcomes the recommendations made during its Universal Periodic Review on 24 January 2018. After thorough consideration and consultations, Liechtenstein is pleased to provide the following responses:

Recommendation 108.1.

Accepted.

Recommendation 108.2.

Accepted.

Recommendation 108.3.

Noted.

Please refer to the response to the similar recommendation in Liechtenstein's first UPR in 2008 (A/HRC/10/77/Add.1).

Recommendation 108.4.

Noted.

See 108.3.

Recommendation 108.5.

Noted.

Recommendation 108.6.

Noted.

Recommendation 108.7.

Noted.

The Government is planning a process to clarify in detail the expected effects of ratification in cooperation with affected stakeholders and civil society. A final decision on ratification will be taken only on the basis of the outcome of this process.

Recommendation 108.8.

Accepted.

See 108.7.

Recommendation 108.9.

Accepted.

See 108.7.

Recommendation 108.10.

Noted.

See 108.7.

Recommendation 108.11.

Noted.

See 108.7.

Recommendation 108.12.

Accepted.

See 108.7.

Recommendation 108.13.

Accepted.

See 108.7.

Recommendation 108.14.

Accepted.

See 108.7.

Recommendation 108.15.

Noted.

See 108.7.

Recommendation 108.16.

Accepted.

See 108.7.

Recommendation 108.17.

Accepted.

Liechtenstein plans to submit the proposal for ratification of the Istanbul Convention to Parliament by the end of 2018.

Recommendation 108.18.

Accepted.

See 108.17.

Recommendation 108.19.

Accepted.

Liechtenstein was the first State to ratify the Kampala Amendments on 8 May 2012.

Recommendation 108.20.

Noted.

Recommendation 108.21.

Accepted.

Liechtenstein is a party to the OECD Convention on Mutual Administrative Assistance in Tax Matters and exchanges information on financial accounts with almost 100 countries based on this legal framework. Financial accounts of private foundations are subject to this OECD standard for the automatic exchange of financial information in tax matters.

Recommendation 108.22.

Accepted.

Recommendation 108.23.

Noted.

Recommendation 108.24.

Accepted, and considered already implemented.

Recommendation 108.25.

Noted.

Accreditation of the Association for Human Rights (VMR) with the Global Alliance for National Human Rights Institutions (GANHRI) does not fall within the competence of the State, but rather of the VMR, which acts completely independently.

Recommendation 108.26.

Accepted, and considered already implemented.

Recommendation 108.27.

Accepted.

See 108.26

Recommendation 108.28.

Accepted.

As part of the regular exchange with the VMR, possible accreditation with GANHRI as well as international exchanges are discussed. However, the VMR acts independently.

Recommendation 108.29.

Accepted.

Recommendation 108.30.

Noted.

Liechtenstein will continue annual campaigns ("Violence – No way!") and implement special projects, but a National Action Plan is not currently planned.

Recommendation 108.31.

Noted.

On the basis of existing laws, Liechtenstein provides comprehensive protection against discrimination. However, the introduction of a general anti-discrimination law would contradict the liberal economic order of the country and provoke possible conflicts with the principle of freedom of contract.

Recommendation 108.32.

Noted.

See 108.31.

Recommendation 108.33.

Accepted.

Recommendation 108.34.

Noted.

The Government currently wants to focus existing resources in this area on developing and implementing an integration strategy.

Recommendation 108.35.

Accepted.

Recommendation 108.36.

Noted.

See 108.34.

Recommendation 108.37.

Accepted.

See 108.33.

Recommendation 108.38.

Noted.

See 108.31.

Recommendation 108.39.

Accepted.

See 108.34.

On behalf of the Government, the Liechtenstein Institute published the study "Islam in Liechtenstein" in 2017, which provides a comprehensive picture of the situation of Muslims in Liechtenstein. The planned integration strategy will cover all ethnic groups, religions, etc.

Recommendation 108.40.

Accepted.

See 108.34.

Recommendation 108.41.

Accepted, and considered already implemented.

The promotion of mutual understanding and the fight against all forms of discrimination and xenophobia are integral parts of the curriculum.

Recommendation 108.42.

Noted.

See 108.31.

Recommendation 108.43.

Accepted.

Recommendation 108.44.

Noted.

See 108.31.

Recommendation 108.45.

Noted.

Economic actors subject to international sanctions are not permitted to register in Liechtenstein.

Recommendation 108.46.

Accepted.

As part of the process of implementing the Sustainable Development Goals, the Government has confirmed its long-term target in principle of achieving an ODA percentage of 0.7%. In the coming years, expenditure is to be increased so that an ODA percentage of 0.5% is reached.

Recommendation 108.47.

Noted.

Liechtenstein believes that the existing legal framework is sufficient to promote compliance with international standards in these areas. This legal framework is based, inter alia, on the conclusion of free trade agreements which contain strong commitments to maintaining international standards with regard to trade and investment in labour and the environment.

Recommendation 108.48.

Accepted.

All legal persons in Liechtenstein, including private foundations, are subject to the criminal liability of companies with regard to corruption offences.

See 108.21.

Recommendation 108.49.

Accepted.

Together with the United Nations University, Liechtenstein has launched an international initiative aimed at implementing calls of the UN Security Council to States and the financial sector to combat modern slavery and human trafficking. This is to be achieved by ensuring effective corporate due diligence in global value chains.

Recommendation 108.50.

Noted.

Liechtenstein implements sanctions in accordance with international law and on the basis of Security Council resolutions and EU decisions.

Recommendation 108.51.

Accepted.

Consultation on the revision of the Criminal Code was launched at the beginning of 2018. The consultation proposal provides for the introduction of a new offence of torture in accordance with the recommendations of various UN and Council of Europe committees.

Recommendation 108.52.

Accepted, and considered already implemented.

Further measures based on the recommendations of the Corrections Commission and international mechanisms are being examined on an ongoing basis.

Recommendation 108.53.

Accepted.

See 108.51.

Recommendation 108.54.

Accepted.

See 108.51.

Recommendation 108.55.

Noted.

Usually, a maximum of one young person is imprisoned in the National Prison. In this case, a special regime adapted to the individual case is organised to alleviate the conditions of solitary confinement as far as possible.

Recommendation 108.56.

Accepted.

So far there have been no cases of human trafficking, modern slavery, or child labour in Liechtenstein. The Round Table on Human Trafficking monitors the situation on an ongoing basis and initiates measures if necessary.

Recommendation 108.57.

Accepted, and considered already implemented.

According to § 147 of the Code of Criminal Procedure, every suspect has the right to communicate with a defence counsel before questioning and to consult that defence counsel for the examination. This also applies to young people who, under § 21a of the Juvenile Courts Act, additionally have the right to appoint a person of confidence for the examination.

Recommendation 108.58.

Accepted.

Recommendation 108.59.

Accepted.

In Liechtenstein, numerous services of public authorities are already available electronically. This includes completing and submitting forms, viewing official announcements in the Official Journal, applying for stipends, VAT accounting, and a mailbox for official documents. Since 2012, Liechtenstein has had an E-Government Act that was revised in 2016. Liechtenstein is also one of the signatories of the Tallinn Declaration on eGovernment with the basic commitment to further develop e-government.

Recommendation 108.60.

Accepted, and considered already implemented.

A custody registry has been introduced. According to § 128a of the Code of Criminal Procedure (StPO), every detained person must be informed during the arrest or immediately afterwards of the right to notify a defence counsel and of the right not to testify. Persons taken into police custody are always given the opportunity to contact a lawyer. According to § 147 of the Code of Criminal Procedure, every suspect has the right to communicate with a defence counsel before questioning and to consult that defence counsel for the examination. This also applies to police interrogations. Monitoring under § 30(3) of the Code of Criminal Procedure is only possible with a reasoned decision by the judge. In practice, the National Police do not know of any case in recent years in which a conversation between the suspect and the defence counsel has been monitored.

Recommendation 108.61.

Accepted, and considered already implemented.

Only in exceptional circumstances and in accordance with the principle of proportionality may the right to privacy be infringed and personal data processed. In Liechtenstein, electronic communication may be monitored only in the context of criminal proceedings.

Recommendation 108.62.

Noted.

Liechtenstein has no intelligence service.

Recommendation 108.63.

Noted.

Recommendation 108.64.

Accepted.

Recommendation 108.65.

Accepted.

The Government implements measures on an ongoing basis to increase the political participation of women, including the politics course for women that has been held for many years. A campaign was launched for the 2019 municipal elections to make female politicians visible. However, the introduction of quotas or systems to achieve gender parity is not planned. In general, gender equality is one of Liechtenstein's priorities in implementing the Sustainable Development Goals of the 2030 Agenda.

Recommendation 108.66.

Noted.

See 108.65.

Recommendation 108.67.

Noted.

Ensuring a balanced representation of both genders in political bodies would ultimately require the introduction of a quota.

See 108.65.

Recommendation 108.68.

Accepted.

See 108.65.

Recommendation 108.69.

Accepted.

Recommendation 108.70.

Accepted.

The Government implements measures on an ongoing basis to promote the compatibility of family and work and to combat role stereotypes.

Recommendation 108.71.

Accepted.

The private sector is involved in this process through the implementation of the 2030 Agenda/SDGs and through the established NGO dialogue on human rights issues, to which business associations are also invited.

Recommendation 108.72.

Noted.

The introduction of paid parental leave is currently not planned.

Recommendation 108.73.

Accepted.

The pursuit of an active gender equality policy and the promotion of the compatibility of work and family life are among the priorities of Liechtenstein's gender equality policy. Two working groups of the Ministry for Social Affairs are currently working on the future of family policy and the financing of child care outside the home.

Recommendation 108.74.

Noted.

See 108.72.

Recommendation 108.75.

Accepted.

See 108.73.

Recommendation 108.76.

Accepted.

See 108.73.

Recommendation 108.77.

Accepted.

Recommendation 108.78.

Noted.

Liechtenstein adapted the legal provisions on abortion in 2015 and does not plan any further changes at present.

Recommendation 108.79.

Accepted.

At 87.2%, the school attendance of 15- to 19-year-olds after completing compulsory schooling is at a gratifyingly high level and thus also above the OECD average. The aim is to provide all young people with a secondary level diploma. A wide range of educational

opportunities is offered to meet the skills and needs of young people – both in general and through vocational training. Both paths guarantee admission to tertiary education.

Recommendation 108.80.

Accepted, and considered already implemented.

In the new Liechtenstein curriculum LiLe, the topics of gender and social justice as well as the handling of diversity and discrimination play an important role. In general, schools promote skills in dealing with the opposite sex and other cultures as well as ethnic and religious tolerance.

Recommendation 108.81.

Noted.

Compulsory schooling is already enshrined in the Constitution (Article 16(2)). Public schools are open to all and attendance is in principle free of charge (Article 7 of the Education Act). There is also a corresponding reference in the Children and Youth Act (Article 1(1)(g) and Article 3).

Recommendation 108.82.

Noted.

See 108.81.

Recommendation 108.83.

Accepted, and considered already implemented.

Liechtenstein law guarantees the principle of equality and non-discrimination at the constitutional and statutory level and is thus aimed at eliminating disadvantages, inequalities, and discrimination.

Recommendation 108.84.

Accepted.

The Liechtenstein Government is clearly committed to combating discrimination against women and unjustified disadvantages in various areas of life.

See 108.65 and 108.70.

Recommendation 108.85.

Accepted.

See 108.65 and 108.70.

Recommendation 108.86.

Accepted.

See 108.65 and 108.70.

Recommendation 108.87.

Accepted.

See 108.65.

Recommendation 108.88.

Accepted.

See 108.65.

Recommendation 108.89.

Accepted.

Recommendation 108.90.

Accepted.

Recommendation 108.91.

Accepted.

The improvement of the framework conditions for reconciling family and work planned by the Government is a key factor in achieving a balanced representation of women in decision-making positions in business and politics in the future.

See 108.73.

Recommendation 108.92.

Accepted.

See 108.65 and 108.91.

Recommendation 108.93.

Accepted.

See 108.65 and 108.91.

Recommendation 108.94.

Accepted.

See 108.65 and 108.91.

Recommendation 108.95.

Accepted.

See 108.65 and 108.91.

Recommendation 108.96.

Accepted.

See 108.65 and 108.91.

Recommendation 108.97.

Accepted.

See 108.65 and 108.91.

Recommendation 108.98.

Accepted.

Regular events such as the National Future Day and projects such as "concerns: role models" are held to promote the education of women in non-traditional areas. Please also note the measures taken to promote STEM/MINT subjects such as the "pepperMINT" laboratory in Vaduz, where girls in particular are addressed.

Recommendation 108.99.

Accepted.

Recommendation 108.100.

Accepted.

Recommendation 108.101.

Accepted.

See 108.65 and 108.91.

Recommendation 108.102.

Accepted.

The separate Equal Opportunities Unit no longer exists, and its official tasks have been transferred to the Equal Opportunities Unit of the Office of Social Services. The new Equal Opportunities Unit has sufficient human and financial resources at its disposal.

Recommendation 108.103.

Noted.

Liechtenstein is pursuing various projects in this context, but there are currently no plans to develop a strategy.

Recommendation 108.104.

Accepted.

See 108.65 and 108.91.

Recommendation 108.105.

Noted.

Various projects are being carried out in these areas, but there are currently no plans to develop a strategy.

Recommendation 108.106.

Noted.

There are no national or linguistic minorities in Liechtenstein.

Recommendation 108.107.

Accepted.

The Disability Equality Act prohibits direct and indirect discrimination of persons with disabilities.

Recommendation 108.108.

Accepted.

See 108.107 and 108.109-111.

Recommendation 108.109.

Accepted, and considered already implemented.

Liechtenstein has a very elaborate system in place to provide appropriate support for children with disabilities. The overall concept "Support Measures in the Liechtenstein Education System" (2012) represents a major step towards the integration of children with disabilities.

Recommendation 108.110.

Accepted.

The Disability Equality Act requires the State to ensure barrier-free access to public buildings and facilities.

Recommendation 108.111.

Accepted.

The Disability Equality Act (Article 19) requires the State to promote the integration of persons with disabilities and to implement programmes that serve to improve integration. Article 21 (Information, counselling, and effectiveness review) also stipulates that the public sector can carry out information campaigns to increase understanding of the equality and integration of persons with disabilities. The State also finances the Office for Persons with Disabilities, which was created under the Disability Equality Act (Article 22) and is affiliated with the Liechtenstein Association for People with Disabilities (LBV) under a service agreement.

Recommendation 108.112.

Accepted, and considered already implemented.

Recommendation 108.113.

Noted.

See 108.3.

Recommendation 108.114.

Noted.

Recommendation 108.115.

Accepted, and considered already implemented.

Recommendation 108.116.

Accepted, and considered already implemented.

Recommendation 108.117.

Noted.

The legal representation of asylum seekers is guaranteed, and further expansion is not necessary. However, relevant legislative projects in neighbouring countries are monitored and the current legal provisions are reviewed as necessary.

Recommendation 108.118.

Accepted, and considered already implemented.

Recommendation 108.119.

Noted.

Family reunification is possible for both asylum seekers and nationals of third countries in accordance with the Asylum Act and the Foreigners Act, albeit with restrictions and subject to certain hurdles.

Recommendation 108.120.

Accepted.

Recommendation 108.121.

Noted.

The asylum procedure in Liechtenstein functions satisfactorily and complies with the principles of the rule of law.

Recommendation 108.122.

Accepted.

See 108.34.

Recommendation 108.123.

Accepted.

Recommendation 108.124.

Noted.

Liechtenstein has so far refrained from introducing such subsidiary protection with reference to the similarly structured "provisional admission".

Recommendation 108.125.

Noted.

The employees of the Migration and Passport Office have the appropriate experience. Basic or further training in this field does not currently take place.

Recommendation 108.126.

Accepted, and considered already implemented.

Stateless persons born in Liechtenstein are entitled to citizenship if they have been stateless since birth and have lived in Liechtenstein for at least five years.